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August 25, 2000

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KAREN R. MARKOWICZ .. SUZANNE E. ZISKA**
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WRITER'S DIRECT NUMBER: (202) 371-2673 INTERNET ADDRESS: JCOVERT@SKGF.COM

Art Unit: 1632

Assistant Commissioner for Patents Washington, D.C. 20231

AU6 2 5 2000

U.S. Utility Patent Application Re:

Appl. No. 09/580,463; Filed: May 26, 2000 Cytofectin Dimers and Methods of Use Thereof

WHEELER, Carl J. Inventors:

Our Ref:

1530.0220001/JMC/MJD

Sir:

ROBERT GREENE STERNE

ROBERT GREENE STERT EDWARD J. KESSLER JORGE A. GOLDSTEIN SAMUEL L. FOX DAVID K.S. CORNWELL

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ERIC K. STEFFE
MICHAEL O. LFF

MICHAEL Q. LEE

Transmitted herewith for appropriate action are the following documents:

- Information Disclosure Statement (in duplicate);
- Form PTO-1449 (19 pages, citing 68 documents); 1.
- Sixty-eight (68) cited documents (AA1, AB1, AC1, AD1, AE1, AF1, AG1, AH1, AR4, AS4, AT4, AR5, AS5, AT5, AR6, AS6, AT6, AR7, AS7, AT7, AR8, AS8, 2. AT8, AR9, AS9, AT9, AR10, AS10, AT10, AR11, AS11, AT11, AR12, AS12, AT12, AR13, AS13, AT13, AR14, AS14, AT14, AR15, AS15, AT15, AR16, AS16, 3. AT16, AR17, AS17, AT17, AR18, AS18, AT18, and AR19); and

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

STERNÊ, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Assistant Commissioner for Patents August 25, 2000 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Attorney for Applicants Registration No. 36,688

JMC/MJD/rjv Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WHEELER, Carl J.

Appl. No. 09/580,463

Filed: May 26, 2000

Cytofectin Dimers and Methods of

Use Thereof

Art Unit: 1632

Examiner: To Be Assigned

Atty. Docket:

1530.0220001/EKS/JMC/MJD

Information Disclosure Statement

Commissioner for Patents Washington, D.C. 20231

Sir:

For:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The Examiner's attention is directed to related, commonly assigned, co-pending U.S. Appl. No. 08/565,756, filed November 30, 1995, and U.S. Appl. No. 09/092,486, filed June 5, 1998. The identification of the above U.S. Patent Applications is not to be construed as a waiver of secrecy as to the application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available

to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed within three months of the U.S. filing date or before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

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WHEELER, Carl J. Appl. No. 09/580,463

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

John M. Covert

Autorney for Applicant Registration No. 38,759

Date: <u>Hug. 25, 2000</u> 1100 New York Avenue, N.W. Suite 600 Washington, D.C. 20005-3934 (202) 371-2600

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Page 1 of 19 , -· APPLICATION NO. ATTY. DOCKET NO. 09/580,463 OIPE 1530.0220001 APPLICANT WHEELER, Carl DGROUP P1632 MIB 2 5 2000 FORM PTO-1449 FILING DATE INFORMATION DISCLOSURE STATEMENT May 26, 2000 U.S. PATENT DOCUMENTS FILING DATE SUB-CLASS TRADEN CLASS 01/19/1983 240.2 435 01/07/1985 NAME Levinson et al. DOCUMENT NUMBER 240.2 DATE 435 01/19/1983 EXAMINER 12/15/1987 Eppstein et al. 691 4,713,339 INITIAL 435 04/19/1990 01/30/1990 AA1 224 Levinson et al. 4,897,355 08/28/1992 560 10/23/1990 AB1 197 Felgner et al. 4,965,196 564 09/16/1993 11/23/1993 AC1 7 Gebeyehu et al 5,264,618 514 03/18/1994 08/02/1994 AD1 44 Felgner et al. 5,334,761 514 01/06/1995 10/17/1995 AE1 44 Felgner et al. 5,459,127 514 05/08/1995 12/03/1996 AF1 450 Felgner et al. 5,580,859 06/07/1995 424 12/31/1996 AG1 44 5,589,466 Brigham 514 01/26/1994 10/14/1997 AH1 44 Wolff et al. 514 5,676,954 12/02/1997 AI1 Felgner et al. 5,693,622 12/30/1997 AJ1 FOREIGN PATENT DOCUMENTS TRANSLATION 5,703,055 SUB-CLASS AK1 Ves CLASS No COUNTRY Yes DOCUMENT NUMBER DATE WIPO EXAMINER No 12/22/1994 WO 94/29469 INITIAL Yes No AL1 Yes No AM1 Yes No AN1 OTHER (Including Author, Title, Date, Pertinent Pages, etc.) A01 Agadjanyan, M.G., et al., "An HIV type 2 DNA Vaccine Induces Cross-Reactive Immune Responses Agadjanyan, M.G., et al., "An MIV type 2 DNA vaccine induces Gross-Reactive immune Responsi against HIV type 2 and SIV," AIDS Res. Hum. Retroviruses 13(18):1561-1572 (December 1997). AP1 1 Agadjanyan, M.G., et al., "DNA Plasmid Based Vaccination Against the Oncogenic Human T Cell AR ngaujanyan, m.u., commercasmina based vaccination against the oncog Leukemia Virus Type 1," Curr. Top. Microbiol. Immunol. 226:175-192 (1998). Altman-Hamamdzic, S., et ∂l ., "Expression of β -galactosidase in mouse brain: utilization of a 1 1 AS novel nonreplicative Sindbis virus vector as a neuronal gene delivery system, Gene Ther. 4(8):815-822 (August 1997). DATE CONSIDERED 1 ΑT

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